

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/28/2022

CHRISTOPHER RANSOM,

Plaintiff,

-against-

C.O. BANK, *et al.*,

Defendants.

1:20-cv-10232-MKV

ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on October 8, 2020. [ECF No. 1]. Thereafter, the Defendants moved to dismiss the complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). [ECF No. 21]. On March 14, 2022, the Court granted Defendants' motion to dismiss. [ECF No. 38]. In the March 14 Order, the Court granted Plaintiff leave to amend his complaint to attempt to cure any deficiencies the Court identified. [ECF No. 38 at 17, 18]. The Court directed Plaintiff to file any amendment on or before April 14, 2022. [ECF No. 38 at 18]. Plaintiff did not file any amendment by that date.

On April 14, 2022, the Court received a letter dated April 11, 2022 from the *pro se* Plaintiff that was cross-filed in another matter stating that his address had changed. [ECF No. 40].¹ Out of an abundance of caution, the Court granted Plaintiff an extension of time to amend his complaint *nunc pro tunc* to June 27, 2022. [ECF No. 41]. Plaintiff did not file any amendment by that date.

To date, no responses have been filed and Plaintiff has not prosecuted this case. Indeed, Plaintiff's letter filed in another matter, which was cross-filed in this matter, does not describe


¹ That letter, written by Mr. Ransom himself, states that he has "two cases here at the Southern District of New York. (20-cv-6395, 21-cv-6343) that are both currently pending." [ECF No. 40 at 1].

the instant case as one “currently pending.” *See supra* n.1; ECF No. 40. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued for failure to prosecute without costs to any party and without prejudice to restoring the action to this Court’s calendar if the application to restore the action is made by July 28, 2022. If no such application is made by that date, today’s dismissal of the action is with prejudice. *See LeSane v. Hall’s Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

The Clerk of the Court respectfully is requested to send this Order to the *pro se* Plaintiff at the address of record.

SO ORDERED.

Date: June 28, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge